

07/30/03  
13146 U.S. PTO

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PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	013860-000002
	First Inventor	Wong, Alfred
	Title	METHOD FOR THE PREPARATION OF PHYTOSTEROLS FROM TALL OIL PITCH
	Express Mail Label No.	EL991559131US

<b>APPLICATION ELEMENTS</b>  <b>SEE MPEP chapter 600 concerning utility patent application contents.</b>	<b>ADDRESS TO:</b> Mail Stop: Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i>  2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.  3. <input checked="" type="checkbox"/> Specification [Total Pages: 18] <i>(preferred arrangement set forth below)</i> -Descriptive title of the invention -Cross Reference to Related Applications -Statement Regarding Fed sponsored R & D -Reference to sequence listing, a table, or a computer program listing appendix -Background of the Invention -Brief Summary of the Invention -Brief Description of the Drawings (if filed) -Detailed Description -Claim(s) -Abstract of the Disclosure  4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Pages: 1]  5. Oath or Declaration [Total Pages: 3] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <i>(for continuation/divisional with Box 18 completed)</i>  i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) Named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)  6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)  8. Nucleotide and/or Amino Acid Sequence Submission <i>if applicable, all necessary</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper  c. <input type="checkbox"/> Statements verifying identity of above copies
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The PTO did not receive the following listed items, we receive a check for \$1802.00 not for \$15220.00

<b>ACCOMPANYING APPLICATION PARTS</b>	
9. <input type="checkbox"/> Assignment Papers (cover sheet & documents(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Citations Statement (IDS)/PTO-1449 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input checked="" type="checkbox"/> Other: <b>Check in the amount of 1,5220.00</b>	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation   
 ☐ Divisional   
 ☐ Continuation-in-part (CIP)   
 of prior application No.: 09/601,762, which is a national phase application (35 U.S.C. Sec. 371) claiming priority of PCT/CA99/00150, which PCT application claims priority of Canadian application No. 2,230,373.

Prior application information: Examiner: S. Wang    Group Art Unit: 1617  
 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<b>19. CORRESPONDENCE ADDRESS</b>					
Name	JENNIFER L. SKORD MOORE & VAN ALLEN				
Address	2200 WEST MAIN STREET, SUITE 800				
City	DURHAM	State	NC	Zip Code	27705
Country	US	Telephone	919-286-8000	Fax	919-286-8199
Name	JENNIFER L. SKORD		Registration No. (Attorney/Agent)		30,687
Signature	<i>Jennifer L. Skord</i>		Date	July 30, 2003	

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2003**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number

Filing Date

First Named Inventor

Wong, Alfred

Examiner Name

Group Art Unit

Attorney Docket No.

013860-000002

**TOTAL AMOUNT OF PAYMENT****(\$1,802.00)****METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number

13-4365

Deposit Account Name

**The Commissioner is authorized to: (check all that apply)**☐ Charge fee(s) indicated below ☒ Credit all overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	750	201	375	Utility filing fee	375.00
106	330	206	165	Design filing fee	
107	520	207	260	Plant filing fee	
108	750	208	375	Reissue filing fee	
114	160	214	80	Provisional filing fee	

**SUBTOTAL(1)** (\$375.00)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below	Fee Paid
38	-20**=	18	X	9	= 162.00
Independent	2	-3**=	0	X	=
Claims					=
Multiple Dependent				280.00	280.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claims, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL(2)** (\$442.00)

\*\*or number previously paid, if greater, For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,250	147	2,250	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	985.00
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL(3)** (\$985.00)**SUBMITTED BY****Complete (if applicable)**Name (Print Type)  
(Attorney/Agent)

Jennifer L. Skord


Registration No.

30,687

Telephone

919-286-8000

Signature



Date

July 30, 2003

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement; This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 200231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

**EXPRESS MAIL CERTIFICATE**

EXPRESS MAIL LABEL NUMBER: EL 991559131US

Date of Deposit: July 30, 2003

First Named Inventor: Wong, Alfred

For: METHOD FOR THE PREPARATION OF PHYTOSTEROLS FROM TALL OIL  
PITCH

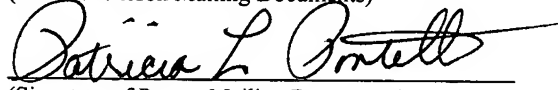
I hereby certify that the following documents:

Express Mail Certificate; and

1. Utility Transmittal (PTO/SB/05)
2. Fee Transmittal (PTO/SB/17)
3. Petition for Extension of Time (PTO/SB/22)
4. Copy of parent application consisting of: (National Phase Transmittal (5 pages), 3 page Declaration, PCT Request(4 pages), 13 pages of specs., 4 pages of claims, Abstract, 1 sheet of drawings, PCT Fee Calculation Sheet, Article 34 Amendment (6 pages + 6 replacement pages), IPEA 416, and IPEA/409, PCT/ISA/210, and Small Entity Statement)
5. Check in the amount of \$1,522.00
6. Acknowledgement Postcard

are being deposited in a single envelope with the United States Postal Services "Express Mail" service under 37 C.F.R. 1.10 on the date indicated above and such envelope is addressed to:  
Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

PATRICIA L. PONTELLO  
(Name of Person Mailing Documents)

  
(Signature of Person Mailing Documents)

**COPY**

Attorney's Docket No. 012861-06

*Chapter II*

**TRANSMITTAL LETTER  
TO THE UNITED STATES ELECTED OFFICE (EO/US)**

**(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)**

<u>PCT/CA99/00150</u>	<u>19 February 1999</u>	<u>20 February 1998</u>
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED

Method for the Preparation of Phytosterols from Tall Oil Pitch  
TITLE OF INVENTION

Alfred Wong, Hugh Sven Oscar Norman and Angus Kirke MacMillan  
APPLICANTS

**BOX PCT**  
**Commissioner for Patents**  
**Washington, D.C. 20231**

**ATTENTION: EO/US**

1. Applicants herewith submit to the United States Elected Office (EO/US) the following items under 35 U.S.C. § 371:
  - a. ☒ This express request to immediately begin national examination procedures (35 U.S.C. § 371(f)).
  - b. ☒ The U.S. National Fee (35 U.S.C. § 371(c)(1)) and other fees (37 C.F.R. § 1.492) as indicated below:

---

**CERTIFICATION UNDER 37 C.F.R. 1.10**

I hereby certify that this Transmittal Letter and the papers indicated herewith are being deposited with the United States Postal Service on August 7, 2000 in a single envelope as "Express Mail Post Office to Addressee" under Mailing Label Number EK637786286US addressed to the: BOX PCT, Commissioner for Patents, Washington, D.C. 20231.

Grant Young  
(Name of person mailing documents)

Grant Young  
(Signature of person mailing documents)

2. Fees

CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
<input checked="" type="checkbox"/>	TOTAL CLAIMS	26 -20=	6	X \$ 9.00=	\$54.00
	INDEPENDENT CLAIMS	3 -3=	0	X \$ 39.00=	\$0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) + \$ 130.00				\$0.00
BASIC FEE	<input type="checkbox"/> U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY				\$420.00
	<input checked="" type="checkbox"/> U.S. PTO WAS NOT INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY where no international preliminary examination fee as set forth in § 1.482 has been paid to the U.S. PTO, and payment of an international search fee as set forth in § 1.445(a)(2) to the U.S. PTO: <input type="checkbox"/> has not been paid (37 C.F.R. 1.492(a)(3)) .....\$485.00 <input checked="" type="checkbox"/> where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 C.F.R. 1.492(a)(5)) .....\$420.00				
	Fee for recording the enclosed assignment document \$40.00 (37 C.F.R. 1.21(h)) (See Item 13 below). See attached "ASSIGNMENT COVER SHEET".				\$0.00
TOTAL	Total Fees enclosed				\$474.00

i. ☒ A check in the amount of \$474.00 to cover the above fees is enclosed.

3. A copy of the International application as filed (35 U.S.C. § 371(c)(2)):

- a. ☒ is transmitted herewith.  
 b. ☐ is not required, as the application was filed with the United States Receiving Office.  
 c. ☐ has been transmitted

i. ☐ by the International Bureau.

ii. ☐ by applicants on \_\_\_\_\_.

4. ☒ A translation of the International application into the English language (35 U.S.C. § 371 (c)(2)):

- a. ☐ is transmitted herewith.  
 b. ☒ is not required as the application was filed in English.

5. ☒ Amendments to the claims of the International application under PCT Article 34:

- a. ☒ are transmitted herewith.  
 b. ☐ have been transmitted

i. ☐ by the International Bureau.

ii. ☐ by applicants on \_\_\_\_\_.

- c. ☐ have not been transmitted as
- i. ☐ Applicants chose not to make amendments under PCT Article 34.
- ii. ☐ The time limit for the submission of amendments has not yet expired.
6. ☒ A translation of the amendments to the claims under PCT Article 34:
- a. ☐ is transmitted herewith.
- b. ☒ is not required as the amendments were made in the English language.
- c. ☐ has not been transmitted for reasons indicated at point 5(c) above.
7. ☒ A copy of the international examination report (PCT/IPEA/409)
- a. ☒ is transmitted herewith.
- b. ☐ is not required as the application was filed with the United States Receiving Office.
8. ☒ Annex(es) to the international preliminary examination report
- a. ☒ is/are transmitted herewith.
- b. ☐ is/are not required as the application was filed with the United States Receiving Office.
9. ☒ A translation of the annexes to the international preliminary examination report
- a. ☐ is transmitted herewith.
- b. ☒ is not required as the annexes are in the English language.
10. ☒ An Oath or Declaration of the inventors (35 U.S.C. § 371(c)(4)) complying with 35 U.S.C. § 115
- a. ☐ was previously submitted by applicant on \_\_\_\_\_.
- b. ☒ is submitted herewith, and such oath or declaration
- i. ☒ is attached to the application.
- ii. ☒ identifies the application and any amendments under PCT Article 34; and states that they were reviewed by the inventor as required by 37 C.F.R. § 1.70.

II. Other document(s) or information included:

11. ☒ An International Search Report (PCT/ISA/210):
- a. ☒ is transmitted herewith.
- b. ☐ has been transmitted by the International Bureau.  
Date of mailing (from form PCT/IB/308): \_\_\_\_\_.
- c. ☐ is not required, as the application was searched by the United States International Searching Authority.
- d. ☐ will be transmitted promptly upon request.
- e. ☐ has been submitted by applicant on \_\_\_\_\_.

12. ☒ The Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98:

a. ☐ is transmitted herewith.

Also transmitted herewith is/are:

☐ Form PTO-1449 (PTO/SB/08A and 08B).

☐ Copies of citations listed.

b. ☒ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. § 371(c).

c. ☐ was previously submitted by applicant on \_\_\_\_\_.

13. ☐ An assignment is transmitted herewith for recording.

A separate "COVER SHEET FOR ASSIGNMENT (DOCUMENT)  
ACCOMPANYING NEW PATENT APPLICATION or  
☐ FORM PTO 1595 is also attached.

14. ☒ Additional documents:

a. ☒ Copy of Request (PCT/RO/101)

b. ☐ International Publication No. \_\_\_\_\_

i. ☐ Specification, claims and drawings

ii. ☐ Front page only

c. ☒ Other:

Statement Claiming Small Entity Status (37 C.F.R. 1.9(f) & 1.27(c)) -  
Small Business Concern

15. ☒ The above checked items are being transmitted

a. ☒ before 30 months from any claimed priority date.

b. ☐ after 30 months.

#### AUTHORIZATION TO CHARGE ADDITIONAL FEES

☒ The Commissioner is hereby authorized to charge any additional fees that may be required by this paper to Deposit Account No. 13-4365.

Date: 8-7-00

By: Michael G. Johnston

Michael G. Johnston

Registration No. 38,194

Attorney for Applicants

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